





HOUSE.....

.....No. 72.

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A N N U A L   R E P O R T

OF THE

A T T O R N E Y   G E N E R A L.



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## Commonwealth of Massachusetts.

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To the Hon. NATHANIEL P. BANKS, Jr.,

*Speaker of the House of Representatives:—*

SIR,—In compliance with the requisitions of the Statute, establishing the office of Attorney General, the accompanying “abstracts and tabular statements” of the reports of the several District Attorneys and the Attorney of the Commonwealth for the county of Suffolk, for the year 1850, are herewith respectfully submitted to the Legislature.

There is also a brief statement of the cases, which, during the year, have been conducted or argued by me in the several judicial districts of the Commonwealth. While these constitute the most prominent and conspicuous class of the duties appertaining to the office of the Attorney General, requiring his attendance before the Supreme Judicial Court, in all the counties in which cases are pending before that tribunal, to which the Commonwealth is a party, and imposing upon him weighty responsibilities and labors, there is another class of duties and responsibilities devolved upon him, of perhaps equal importance to the extended and diversified interests of the Commonwealth, which do not meet the public eye, and which can be measured and appreciated only by those, with whom in the discharge of those duties he is brought into official communication.

Since my last annual report, I have had occasion to consult with and advise the Governor of the Commonwealth, Committees of the Executive Council, the Adjntant General, the Treasurer and Receiver General, the Auditor, the several prosecuting officers of the Commonwealth, the Commissioners of Public Lands, the Inspectors of the State Prison, the Trustees of the State Reform School, the Inspector General of Beef and Pork, and the Superintendents of Alien Passengers, upon various

questions arising out of their respective official duties, many of them of difficulty, and of importance to the interest of the Commonwealth.

In addition to the parol advice given in personal conferences and consultations with these officers, I have prepared and communicated during the year, forty-two written opinions upon questions submitted to me for my official advice. Of these, twenty-one have been upon applications to the Executive for Executive requisitions upon the Governors of other states, for the surrender of fugitives from the justice of this Commonwealth,—and executive requisitions from other states, for the extradition of alleged fugitives from justice in this State.

Both these classes of applications have become so frequent, that unless great care is taken, to see that all the constitutional pre-requisites to granting them, exist in each particular case, that which the framers of the constitution evidently regarded as the exercise of a high Executive prerogative, will come to be considered as much a thing of course, as the issuing of a justice's warrant upon a complaint for a petty larceny or a simple assault and battery. I have, therefore, endeavored to confine them to cases in which it was clear that the exigency existed, in which they were demanded by a due regard to the vindication of public justice. Of the twenty-one cases in which I have advised the Executive, in eight of them my advice has been in favor of, and in thirteen, against, the granting of the requisitions or warrants applied for in the particular instances.

Under the resolve creating the Board of Commissioners on Boston Harbor, I have attended before the commissioners at several meetings of the board, and conferred with them respecting the rights and interests of the Commonwealth, in the subject matter of their investigations. In the views entertained by them, so far as they have been disclosed to me, I fully concur, and I cannot doubt, from the distinguished ability, the large experience, and the eminent fidelity with which they have devoted themselves to the laborious duties imposed on them by their commission, the Legislature will repose great confidence in the opinions and suggestions which they may submit to it in their report, upon a subject of such great interest to the Commonwealth.

There are one or two topics upon which I deem it to be my

duty to suggest the propriety of further legislation, in order to a just and efficient administration of the criminal law.

By a decision of the Supreme Judicial Court, a few years since, which has recently been affirmed by that tribunal, it is held, that any error in the sentence of a convict, vitiates, and renders null, all the previous proceedings in a criminal case;—that upon a writ of error, the Supreme Court have no power to correct the error in the sentence, either by awarding, itself, such sentence as the law affixes to the offence, or by remitting the case for that purpose to the court before which the party was convicted;—that upon the error being judicially ascertained, the only power the court has in the premises, is, to declare the error, and discharge the prisoner;—and thus, through a process, professedly granted by the law, to enable the court to correct the error alleged to exist, a criminal, legally convicted, on a valid indictment, escapes all judicial punishment.

It is respectfully submitted, that this doctrine is not in harmony with the theoretical perfection of the common law: and I think it can be successfully maintained, that it was not originally a feature of that system. The first case in which it was held in England is comparatively recent, and arose out of an error in sentencing a party to transportation, when the law had affixed to the offence of which he was convicted the punishment of death. The natural repugnance of the judges, before whom a writ of error was brought, to correct the error by proceeding to a capital sentence, led them, *in favorem vitiæ*, into a departure from the true principles of the common law, by a discharge of the prisoner.

This precedent has been followed in England, and in some of the states of this union, until the courts, by their adherence to it, are liable to commit more and graver errors than they correct. An illustration of it, less striking than cases that have actually occurred in practice, may be thus stated. A party has been convicted in the court of Common Pleas, of the crime of burglary, upon a valid indictment. All the proceedings have been regular, and the verdict of a jury has established the fact of his guilt. He is sentenced by the court to imprisonment at hard labor for a term of years in the State prison, but the sentence omits to include an additional day of solitary confinement. He sues out his writ of error, alleging that the sentence is erro-

neous in not awarding him another day's imprisonment. This fact is judicially ascertained by the Supreme Court, sitting as a *court for the correction of errors*, and in consequence of the omission of the one day's solitary confinement, the convicted burglar is discharged from custody, he is protected from all judicial punishment for the offence of which he stands convict, as well as from any future prosecution for it, and goes forth from the prisoner's dock, to renew his depredations upon society, stimulated and emboldened in villainy, by what he has witnessed of the impotence of the law.

Such a spectacle, as is thus exhibited, of the failure of the law to vindicate itself, and to protect the honest and the well-disposed, a spectacle which has been more than once witnessed in our courts of justice, cannot fail to bring the administration of our criminal jurisprudence into reproach and contempt.

In an early case in our reports, (*Commonwealth v. Ellis*, 11 Mass. R. 465,) it was said by the learned judge who pronounced the opinion of the court, in conformity with the decisions in New York and Pennsylvania upon this question, that "the principle is well settled, that if the judgment was rendered by a court, proceeding according to the course of the common law, a writ of error lies; on which, in case of reversal, this court is authorized to render the same judgment that the court below ought to have rendered."

To restore this principle, so obviously an essential element in any well-considered and effective system of criminal jurisprudence, I respectfully suggest the expediency of providing by express enactment, that whenever a final judgment in any criminal case shall be reversed upon a writ of error, by the Supreme Judicial Court, the court may render such judgment therein as should have been rendered, or may remand the case for that purpose to the court before which the conviction was had."

The practical operation of the act of 1850, chapter 272, "concerning bail in criminal cases," is represented to me by the prosecuting officers in Suffolk and Middlesex to be such, as to require further legislative action on that subject. The right given by that act to the bail to surrender his principal after a default, and exonerate himself from liability, with the right of the principal immediately thereupon to enter into a new recognizance, is now resorted to, as a means of indefinitely postpon-

ing the trial of an indictment. The *modus operandi* is said to be this. A party charged, for example, with a violation of the license law, enters into a recognizance with surety, to appear at the next ensuing term of the court for trial. He fails to appear when the indictment is in order for trial, and with his surety, is defaulted upon the recognizance. At the close of the term, and after the juries are dismissed, when he knows that a trial cannot be had, he appears, is surrendered by his surety, and thereupon immediately enters into a new recognizance for his appearance at the next term; the surety having been exonerated, by the surrender, from all liability. At the next term he is again defaulted, and goes again through the same process, and thus effectually evades a trial. The evil would probably be remedied, by leaving the right of the party to enter into a new recognizance after having once been defaulted, subject to the discretion of the court, before whom the cause is pending;—a discretion which could not fail to be exercised in favor of a party, whenever a proper cause for its exercise was shown.

I would also respectfully suggest, the expediency of extending the provisions of the 11th, 12th, 13th, and 14th sections of the 126th chapter of the Revised Statutes to other buildings than those enumerated in those sections. It has been recently decided, that a station-house of a railroad corporation, where large sums of money are sometimes kept, which have been received in the sale of tickets, is not an “office,” within the meaning of those sections of the statute. And yet it is obvious that these buildings are quite as likely to be the scene and the objects of burglarious attempts, as any of those which are under the protection of the law. I can see no objection to a provision of law which shall make the breaking and entering of *any building*, with intent to commit a felony therein, a penal offence, whether the intent is consummated by the commission of the felony or not.

My attention having been particularly directed to these apparent defects in the existing criminal jurisprudence of the Commonwealth, I have deemed it my duty to state them to the Legislature, under that provision of the act defining my duties, which requires me to make “such statements and observations, as in my opinion, the criminal jurisprudence, and the proper administration of the criminal law may warrant and require.”

It is a source of congratulation that the existing system of our criminal jurisprudence is so well adapted to our condition, and has proved itself to be so free from objectionable features or prominent defects, as to furnish the occasion for so few suggestions of this nature, as are herein indicated for the consideration of the Legislature.

All which is respectfully submitted, by

JOHN H. CLIFFORD,  
*Attorney General.*

FEBRUARY 15th, 1851.

## CASES

*Conducted and argued by the Attorney General, from January 1, 1850, to January 1, 1851.*

## COUNTY OF SUFFOLK.

Commonwealth v. George Cox. *Murder.* Jury trial in S. J. Court. Verdict, guilty of manslaughter. Sentence, 7 years hard labor and 3 days solitary confinement State Prison.

Com. v. Thomas McNulty. Municipal Court. Information—*Second Comer to the State Prison.* Convicted. Sentence, 5 days additional.

Com. v. Benjamin Hood. Municipal Court. Information—*Second Comer to the State Prison.* Convicted. Sentence, 5 days additional.

Com. v. John W. Webster. Municipal Court. Examination before the Grand Jury, of complaint, for the murder of George Parkman.

Indictment found and certified to S. J. Court.

Com. v. Charles Barnes. Municipal Court. Information—*Third Comer to the State Prison.* Convicted. Sentence, 10 days additional.

Com. v. Albert White. Municipal Court. Information—*Third Comer to the State Prison.* Convicted. Sentence, 10 days additional.

Com. v. William Smith. Municipal Court. Information—*Second Comer to the State Prison.* Convicted. Sentence, 10 days additional.

Com. v. Michael Conners, Michael White, and John Hincheay. Municipal Court. Examination before the Grand Jury, on complaint for *murder.* No bill found.

Com. v. John Lowell. Law argument, S. J. Court. *Larceny.* Exceptions from Municipal Court. Exceptions overruled. Sentence, 18 months State Prison.

Com. v. John W. Webster. S. J. Court. Jury trial for murder. Verdict, guilty. Sentence, death.

In the trial of this cause, I was assisted by George Bemis, Esq., of the Suffolk Bar.

Com. v. John McDonald. *Attempt to steal from the person.*

Law argument, S. J. Court, on exceptions from Municipal Court. Exceptions overruled—defendant and his sureties defaulted on recognizance.

Com. v. Certain Lottery Tickets. By information. Law argument, S. J. Court, on exceptions from Municipal Court—continued by the court for advisement.

Com. v. John C. Gale. *Receiving Stolen Goods.* Law argument, S. J. Court, on exceptions from Municipal Court—exceptions overruled. Prisoner sentenced, 18 months State Prison.

Com. v. John Betton. *Arson.* Law argument, S. J. Court, on exceptions from Municipal Court—exceptions overruled. Prisoner sentenced, 5 years State Prison.

John W. Webster v. The Commonwealth. Law argument on application for writ of error. S. J. Court. Petition for writ of error dismissed. In this case, I was assisted by George Bemis, Esq., of the Suffolk Bar.

Harrison Wingate v. The Commonwealth. Writ of error to reverse a judgment of the Municipal Court. Law argument, S. J. Court—writ of error dismissed. Judgment for the Commonwealth.

Com. v. Peter Lynch. Municipal Court. Examination before the Grand Jury of complaint for *murder.* No bill found for the capital offence. Drew an indictment for an aggravated assault.

Com. v. The South Reading Branch Railroad.

Same v. The Essex Railroad Company. Informations—alleging usurpations by these corporations upon the rights of the Commonwealth, filed in the S. J. Court. Orders of notice issued returnable before the court in the county of Essex, November term, 1850.

Com. by Information, at the relation of John W. Emery and als. v. The Proprietors of the Meeting-house in Federal street, Boston. This information, for an alleged misapplication of a charity, was filed in the S. J. Court, at the instance of the relators, and is conducted on their behalf, by their counsel, Hon. Rufus Choate and J. C. Adams, Esq.

#### COUNTY OF MIDDLESEX.

Commonwealth v. Anthony O'Donnell. C. C. Pleas. Examination before the Grand Jury, of complaint for the murder

of John Heveren. Bill found for murder, and certified to S. J. Court.

Com. v. Daniel H. Pearson. *Murder.* Jury trial in S. J. Court. Verdict, guilty. Sentence, death.

In this trial, I was assisted by Charles R. Train, Esq., District Attorney for the Northern District.

Com. v. Anthony O'Donnell. S. J. Court. Jury trial for *murder.* Verdict, guilty of manslaughter. Sentence, 7 years State Prison.

In this trial, I was assisted by C. R. Train, Esq., District Attorney.

Com. v. James Gould. S. J. Court. Civil action; for disturbing an easement in lands adjacent to the State Prison in Charlestown. Continued.

Com. v. Worthy Parker. S. J. Court. Exceptions from C. C. Pleas. *Assault, &c.* Exceptions waived, and defendant and sureties defaulted on recognizance.

Com. v. Valentine Rollins. *Malicious Trespass.* S. J. Court. Exceptions from C. C. Pleas—exceptions sustained, and judgment arrested.

Com. v. Albion B. Gee and al. Indictment for “*Setting up a Public Amusement without License,*” in violation of the provisions of the act of 1849, chap. 231. S. J. Court. Law argument on exceptions from C. C. Pleas—exceptions sustained, and case remanded to C. C. Pleas for new trial.

Com. v. Samuel White. *Breaking and entering an Office, with intent to Steal.* Law argument, S. J. Court, on exceptions from C. C. Pleas—exceptions sustained; verdict set aside, and indictment nol pross'd.

Com. v. The Fitchburg Railroad Company. *Nuisance.* Exceptions from C. C. Pleas. S. J. Court. Continued *nisi.*

Com. v. Henry Rice and al. *Adultery.* S. J. Court. Exceptions from C. C. Pleas. Continued *nisi.*

Com. v. Walter Batherick. *Violation of License Law.* S. J. Court. Exceptions from C. C. Pleas. Continued *nisi.*

#### COUNTY OF BERKSHIRE.

Commonwealth v. Henry Shaw. *Violation of License Law.* Law argument, S. J. Court. Exceptions from C. C. Pleas—exceptions overruled, and remitted to C. C. Pleas for sentence.

Com. v. The Tenth Mass. Turnpike Corporation. Information in the nature of a *quo warranto*. Law argument thereon, S. J. Court. Continued by the court, for advisement.

Com. v. William Bullman. *Rape*. Jury trial in S. J. Court. Verdict, guilty. Sentence, death.

#### COUNTY OF HAMPTON.

Commonwealth v. John Healy and als. *Assault with intent to Murder*. Law argument, S. J. Court, on exceptions from C. C. Pleas—exceptions overruled. Remitted to C. C. Pleas for sentence.

#### COUNTY OF HAMPSHIRE.

Commonwealth v. Milo A. Taylor. *Uttering Counterfeit Bank Bills*. Law argument, S. J. Court, on exceptions from C. C. Pleas, and motion in arrest of judgment. Exceptions sustained—judgment arrested, and new trial ordered in C. C. Pleas.

#### COUNTY OF FRANKLIN.

Commonwealth v. Calvin Shattuck. *Assault, &c.* S. J. Court. Law argument, on exceptions from C. C. Pleas—exceptions overruled, and remitted to C. C. Pleas for sentence.

Com. v. Patience Bond and als. *Forcible Detainer*. Law argument in S. J. Court, on exceptions from C. C. Pleas—exceptions overruled, and remitted to C. C. Pleas for sentence.

Com. v. Patience Bond and als. *Assault, &c.* S. J. Court. Exceptions from C. C. Pleas, and motion in arrest of judgment. Continued.

Patience Bond and als. Petitioners for new trial in C. C. Pleas. S. J. Court. Exceptions to ruling of C. C. P., refusing a new trial. Continued.

#### COUNTY OF WORCESTER.

Commonwealth v. George Wetherbee. *Nuisance*. S. J. Court, on exceptions from C. C. Pleas—exceptions waived. Remitted to C. C. Pleas for sentence.

Com. v. Samuel A. Smith and als. *Complaint for Breach of the Peace*, upon the 24th sec., 85th chap. Rev. Stat. S. J.

Court. Law argument, on exceptions from C. C. Pleas. Continued by the court, for advisement.

Com. v. Joseph Miller. *Uttering Counterfeit Bank Bills.* S. J. Court, on exceptions from C. C. Pleas—exceptions waived; remitted to C. C. Pleas for sentence.

Com. v. James Reardon. *Adultery.* Law argument, in S. J. Court, on exceptions from C. C. Pleas—exceptions overruled. Prisoner sentenced, 1 year House of Correction.

#### COUNTY OF ESSEX.

Commonwealth v. Rachel Sharp. *Murder.* S. J. Court. In this case, which was an indictment against the defendant for the murder of her infant child by poisoning, the jury having failed to agree on a verdict, and since the trial, Dr. Martin Gay, one of the principal witnesses for the government, having deceased, I permitted the prisoner to be discharged on her own recognizance.

Com. v. Josiah Herrick. } *Complaints for Violation of License*  
Same v. same. } *Law.* Law argument, in S. J. Court, on report of C. C. Pleas, upon motions in arrest of judgment—motions in arrest overruled. Remitted to C. C. Pleas for sentence.

Com. v. South Reading Branch Railroad. Information in the nature of a *quo warranto*, filed in Suffolk county. Order of notice made returnable before the S. J. Court in this county. Entered, and continued *nisi*, for argument.

Com. v. Essex Railroad Company. Information—same as last preceding.

These cases, which involve important questions respecting the powers and duties of railroad corporations, under the charters granted them by the Legislature, are still pending in the Supreme Judicial Court.

Com. v. Edward Bickell and Elbridge Pike. *Rape.* Jury trial, in S. J. Court, in which I was assisted by A. Huntington, Esq., District Attorney for the Eastern District.

At the close of the second day of the trial of this case, I became satisfied that the evidence would not warrant a conviction of the prisoners, and thereupon, with the concurrence and approbation of the court, I permitted them to take a verdict of acquittal by consent of the government.

## COUNTY OF BRISTOL.

Commonwealth v. Wooster Carpenter. *Nuisance.* S. J. Court, on exceptions from C. C. Pleas—exceptions overruled, and continued for judgment on the verdict.

Benjamin F. Dexter v. The Commonwealth in Error. Writ of error, to reverse the judgment of a justice of the peace, sentencing the plaintiff in error to the State Reform School, during his minority, or, in the alternative, to the House of Correction, *for the same term.* Error admitted—sentence adjudged erroneous, and prisoner discharged.

JOHN H. CLIFFORD,

*Attorney General.*

FEBRUARY 15th, 1851.

TABLE I.  
SUFFOLK COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'l't on Rec. cognizance.	COSTS.
Against the person feloniously, . . .	18*	10	2	.	1	3	1	.	\$762 44
Against the person not feloniously, . . .	235	143	24	9	9	31	8	11	4,988 30
Against property with violence, . . .	107	77	13	.	4	10	3	.	2,074 85
Against property without violence, . . .	364	216	47	12	15	42	20	12	6,742 44
Other offences, . . .	911	502	56	44	58	135	57	59	8,273 83
Total, . . .	1635*	948	142	65	87	221	89	82	\$22,841 86

TABLE OF OFFENCES.

Adultery, . . .	8	1	1	1	.	5	.	.	144 80
Assault, . . .	8	5	.	.	1	2	.	.	111 74
Assault and Battery, .	162	96	20	6	5	20	7	8	3,468 09
Assault on Officer, .	13	10	1	.	1	.	.	1	246 85
Assault on Watchman,	35	23	2	2	1	6	.	1	703 35
Assault with dangerous weapon, . . .	3	2	1	.	.	.	.	.	96 22
Assault, felonious, .	5	3	1	.	.	1	.	.	169 20
Assault, felonious, and Highway Robbery, .	1	1	.	.	.	.	.	.	29 12
Assault, felonious, with intent to Kill, .	1	1	.	.	.	.	.	.	32 63
Assault, felonious, and Larceny, . . .	6	5	.	.	.	.	1	.	150 91
Arson, . . .	1	.	.	.	.	1	.	.	12 41

\* One sent to Supreme Court.

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro's'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recog'nizance.	COSTS.
Bail, . . .	75	45	26	.	.	.	.	4	\$406 15
Burglary, . .	2	1	1	.	.	.	.	.	69 05
Cheating, . .	22	4	1	2	4	3	7	1	250 09
Common Drunkard, .	5	2	.	1	.	1	.	1	71 40
Common Night-walker,	2	2	.	.	.	.	.	.	37 88
Conspiracy to Cheat, .	4	1	.	.	.	2	1	.	52 06
Counterfeit Money, having and uttering, .	11	6	3	.	1	.	1	.	240 36
Cruelty to Animals, .	7	3	2	.	.	1	1	.	106 05
Disturbing Meeting, .	1	.	.	.	1	.	.	.	8 11
Disturbing School, .	3	3	.	.	.	.	.	.	63 29
Embezzlement, . .	4	1	1	1	.	1	.	.	72 41
Escape, . . .	8	8	.	.	.	.	.	.	93 59
Forgery and Uttering,	3	1	.	.	2	.	.	.	82 44
Fifth Comer, . .	1	1	.	.	.	.	.	.	9 98
Harbor, Intrusion into,	9	.	.	9	.	.	.	.	443 03
Highway Robbery, .	2	2	.	.	.	.	.	.	126 56
Highway Robbery and Larceny, . .	2	2	.	.	.	.	.	.	73 48
House-breaking and Larceny, . .	21	18	2	.	1	.	.	.	342 09
Illegal Voting, . .	1	.	.	1	.	.	.	.	.
Keeping House of Ill-fame, . . .	45	15	3	2	8	1	5	11	647 69
Keeping Noisy House,	28	16	1	6	1	2	1	1	336 64
Keeping Gambling do.,	10	2	.	2	1	.	1	4	76 08
Keeping Gambling do., License and Sunday Law, . . .	3	.	.	.	2	.	.	1	11 07

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'l'n on Recognaunce.	COSTS.
Larceny, . . .	280	183	35	6	5	33	9	9	\$5,282 23
License Law, . . .	321	162	17	15	11	80	20	16	2,342 87
License and Sunday Law, . . .	202	124	4	2	16	20	22	14	1,603 02
License and Sunday Law & Noisy House,	60	36	.	1	6	14	.	3	559 55
License and Sunday Law and Brothel, .	5	.	.	.	.	2	2	1	15 43
License Law and Noisy House, . . .	33	21	.	.	5	2	4	1	257 96
License Law, Noisy House and Brothel,	3	2	.	.	1	.	.	.	27 87
Letting Furniture for Brothel, . . .	1	.	.	.	1	.	.	.	13 12
Letting House for do.,	3	.	.	2	.	.	.	1	29 43
Letting House for Gaming, &c., . . .	1	.	.	2	.	1	.	.	5 09
Lunatic, . . .	14	14	.	.	.	.	.	.	230 09
Malicious Mischief, .	3	1	.	1	.	1	.	.	14 07
Manslaughter, . . .	2	.	1	.	1	.	.	.	50 99
Murder, . . .	*3	.	.	.	.	2	.	.	329 59
Noisy House & Brothel,	6	4	1	.	.	.	1	.	100 51
Nuisance, . . .	1	1	.	.	.	.	.	.	12 04
Open Lewdness and Exposure, . . .	5	2	.	.	1	2	.	.	85 49
Obtaining Goods by False Pretences, .	5	2	.	1	.	1	1	.	39 07
Obtaining Money by False Pretences, .	1	1	.	.	.	.	.	.	18 11
Perjury, . . .	5	.	.	.	2	2	1	.	16 97

\*One case to Supreme J. Court.

TABLE I.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'd on Recog'nizance.	COSTS.
Receiv'g Stolen Goods,	25	14	5	1	2	2	.	1	\$541 53
Receiving Stolen Money,	2	1	.	1	.	.	.	.	33 46
Riot,	3	1	1	.	1	.	.	.	73 20
Riot and Assault,	5	1	.	1	.	1	1	1	76 52
Runaway Apprentice,	3	2	.	1	.	.	.	.	53 02
Rescue,	5	4	.	.	.	1	.	.	41 94
Second Comer,	19	19	.	.	.	.	.	.	194 08
Shop-breaking and Larceny,	81	56	10	.	3	9	3	.	1,601 36
Selling Uns'rvey'd Lumber,	1	.	.	.	.	1	.	.	1 38
Selling Unwholesome Provisions,	1	.	1	.	.	.	.	.	51 81
Sunday Law and Noisy House,	4	3	.	.	.	.	.	1	33 59
Third Comer,	2	2	.	.	.	.	.	.	10 22
Uttering Forged Check,	1	1	.	.	.	.	.	.	13 57
Uttering Forged Order,	2	1	.	.	.	1	.	.	33 99
Uttering Forged Note,	2	.	1	.	.	.	.	1	29 99
Violation of City Ordinance,	6	5	.	.	1	.	.	.	50 52
Vessel-breaking & Larceny,	2	2	.	.	.	.	.	.	49 94
Writing Threatening Letters,	5	3	.	.	2	.	.	.	133 48
	1635	948	142	65	87	221	89	82	\$22,841 86

## TABLE II. EASTERN DISTRICT.

Essex County constitutes this District.

## COUNTY OF ESSEX.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'tn on Recogntance.	COSTS.
Against the person, feloniously, . . .	5	.	2	.	2	1	.	.	\$357 78
Against the person, not feloniously, . . .	51	19	9	7	11	5	.	.	1,405 45
Against property, with violence, . . .	31	13	1	.	14	3	.	.	890 98
Against property, without violence, . . .	75	30	8	7	20	10	.	.	2,162 32
Other offences, . . .	276	109	10	25	115	17	.	.	4,438 88
Total, . . .	438	171	30	39	162	36	.	.	\$9,255 41

## TABLE OF OFFENCES.

Adultery, . . .	3	1	.	1	.	1	.	.	73 48
Attempt to Commit Offence, . . .	1	1	.	.	.	.	.	.	35 36
Assault, . . .	5	2	.	1	2	.	.	.	67 78
Assault and Battery, .	40	17	7	5	6	5	.	.	660 79
Assault, Felonious, .	1	.	.	.	.	1	.	.	76 43
Assault on Officer, .	1	.	.	.	1	.	.	.	21 04
Assuming to be Officer,	1	.	.	.	.	1	.	.	39 03
Bigamy, . . .	1	1	.	.	.	.	.	.	73 53
Card Playing, . . .	1	.	.	1	.	.	.	.	31 32
Cheating, . . .	11	1	3	.	5	2	.	.	218 52
Common Drunkard, .	3	1	.	1	1	.	.	.	67 51
Conspiracy, . . .	8	3	.	.	4	1	.	.	300 29

TABLE II.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recog'nizance.	COSTS.
Contempt, . . .	10	3	5	.	2	.	.	.	\$76 20
Counterfeit Money, having, &c., . . .	3	.	.	1	2	.	.	.	165 80
Disorderly House, . .	1	1	.	.	.	.	.	.	56 68
Disorderly Person, . .	1	.	.	1	.	.	.	.	14 90
Disturbing the Peace, .	1	.	.	.	1	.	.	.	21 92
Disturbing Public Meeting, . . . .	1	1	.	.	.	.	.	.	67 70
Disturbing School, . .	2	.	.	.	2	.	.	.	33 88
Escape, . . . .	1	1	.	.	.	.	.	.	11 35
Forgery, . . . .	2	1	.	.	1	.	.	.	124 14
Gaming, . . . .	5	1	2	.	2	.	.	.	108 73
Highway, . . . .	3	.	.	.	3	.	.	.	39 79
House-breaking, . .	3	3	.	.	.	.	.	.	41 41
Inciting Dog, . . . .	1	.	1	.	.	.	.	.	19 98
Labor on Lord's Day, .	1	.	.	1	.	.	.	.	40 89
Larceny, . . . .	48	29	4	6	1	8	.	.	1,127 81
License Law, . . . .	195	83	1	21	86	4	.	.	2,560 47
Lewdness, . . . .	1	.	.	.	1	.	.	.	16 89
Lewd Cohabitation, . .	10	4	1	.	3	2	.	.	268 51
Lottery Law, . . . .	2	1	.	.	1	.	.	.	65 43
Malicious Burning, . .	7	2	1	.	2	2	.	.	302 73
Malicious Mischief, . .	1	.	.	.	1	.	.	.	25 51
Nuisance, . . . .	8	1	.	.	2	5	.	.	100 15
Obstructing Course of Justice, . . . .	1	.	.	.	1	.	.	.	8 73
Perjury, . . . .	3	.	.	.	1	2	.	.	32 12

TABLE II.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recogntizance.	COSTS.
Procuring Abortion, . .	3	.	2	.	1	.	.	.	\$624 05
Railroad Law, . . .	1	.	.	.	1	.	.	.	14 13
Rape, . . . .	4	.	2	.	2	.	.	.	281 35
Receiv'g Stolen Goods,	11	.	.	.	11	.	.	.	526 05
Riot, . . . .	7	4	1	.	1	1	.	.	165 11
School Law, . . .	2	.	.	.	2	.	.	.	47 69
Shop-breaking, . . .	21	8	.	.	12	1	.	.	546 84
Surety of Peace, . . .	1	.	.	.	1	.	.	.	24 31
Vagabond, . . .	1	1	.	.	.	.	.	.	29 08
	438	71	30	39	162	36	.	.	\$9,255 41

## NORTHERN DISTRICT.

This District comprises the County of Middlesex.

TABLE III. NORTHERN DISTRICT.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Re-cognizance.	COSTS.
Against the person, feloniously, . . .	10	6	.	.	1	3	.	.	\$948 67
Against the person, not feloniously, . . .	55	28	2	4	4	13	2	2	1,240 06
Against property, with violence, . . .	44	25	3	2	2	12	.	.	1,353 58
Against property, without violence, . . .	75	46	6	2	9	11	.	1	2,112 05
Other offences, . . .	156	83	6	16	25	17	6	3	3,256 29
Total, . . .	340	188	17	24	41	56	8	6	\$8,910 65

TABLE OF OFFENCES.

Adultery, . . .	16	10	.	1	3	1	.	1	691 79
Arson, . . . .	10	3	.	.	.	7	.	.	353 88
Assault, Aggravated, .	3	3	.	.	.	.	.	.	104 07
Assault and Battery, .	48	22	2	4	4	12	2	2	1,049 77
Assault, Felonious, .	5	4	.	.	1	.	.	.	219 18
Assault on Officer, .	4	3	.	.	.	1	.	.	86 22
Burglary, . . .	28	19	3	1	2	3	.	.	649 88
Cheating, . . .	1	.	.	.	1	.	.	.	14 13
Common Drunkard, .	12	11	.	1	.	.	.	.	134 87
Contempt, . . .	15	12	2	.	.	1	.	.	65 03
Counterfeit Money, .	4	3	1	.	.	.	.	.	126 45
Destroy'g Town Pound,	2	.	.	.	.	2	.	.	69 40

TABLE III.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'l't on Recog'nizance.	COSTS.
Disorderly House, .	2	1	.	.	.	1	.	.	\$33 82
Disturbing Peace, .	2	2	.	.	.	.	.	.	45 62
Disturbing School, .	1	.	.	1	.	.	.	.	12 32
Drunkenness, . .	11	5	1	4	1	.	.	.	155 17
Embezzlement, .	1	.	1	.	.	.	.	.	38 96
Escape, . . .	5	2	.	2	.	.	1	.	46 05
False Pretences, .	6	.	1	1	3	.	.	1	75 40
Forcible Entry, .	1	.	.	1	.	.	.	.	6 18
Forgery, . . .	11	8	.	.	2	1	.	.	261 48
Fornication, . .	4	1	1	.	1	.	.	1	48 36
Gaming, . . .	6	5	.	.	1	.	.	.	182 13
Gross Carelessness, .	2	.	.	.	1	1	.	.	46 54
Larceny, . . .	49	34	3	.	2	10	.	.	1,558 34
License Law, . . .	49	26	1	4	7	5	5	1	1,184 59
Lottery, . . .	2	1	.	.	.	1	.	.	66 88
Libel, . . .	1	.	.	.	.	1	.	.	10 28
Malicious Mischief, .	5	1	.	1	.	3	.	.	157 59
Malicious Trespass, .	2	1	.	1	.	.	.	.	69 54
Manslaughter, . .	2	2	.	.	.	.	.	.	652 05
Murder, . . .	3	.	.	.	.	3	.	.	77 44
Nuisance, . . .	7	2	.	.	5	.	.	.	111 62
Polygamy, . . .	1	.	.	.	1	.	.	.	18 87
Receiv'g Stolen Goods, .	2	1	.	.	1	.	.	.	16 88
Riot, . . .	1	.	.	.	.	1	.	.	12 73
Robbery, . . .	2	2	.	.	.	.	.	.	204 70
Selling Unwholesome Provisions, . . .	1	.	1	.	.	.	.	.	9 15

TABLE III.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recog'zance.	COSTS.
Stubborn Child, .	1	.	.	.	1	.	.	.	\$5 91
Subornation of Perjury,	1	.	.	.	.	1	.	.	19 36
Threatening & Threatening Letter, .	6	2	.	1	2	1	.	.	164 22
Uttering Bill in similitude of Bank Bill, .	1	.	.	1	.	.	.	.	20 41
Violation of By-law, .	1	.	.	.	1	.	.	.	.
Violation of "Lord's day," . . .	3	2	.	.	1	.	.	.	33 39
	340	188	17	24	41	56	8	6	\$8,910 65

## SOUTHERN DISTRICT.

This District comprises the Counties of Bristol, Plymouth, Nantucket, Barnstable, and Dukes County.

TABLE IV. SOUTHERN DISTRICT.

## BRISTOL COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pro's'd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Recog'nance.	COSTS.
Against the person feloniously, . . .	1	.	.	.	.	1	.	.	.
Against the person not feloniously, . . .	24	10	1	6	.	4	.	3	\$425 77
Against property with violence, . . .	13	7	2	2	.	2	.	.	369 89
Against property without violence, . . .	41	26	1	3	.	11	.	.	827 77
Other offences, . . .	175	88	6	41	16	17	.	7	1,981 70
Total, . . .	254	131	10	52	16	35	.	10	\$3,605 13

## TABLE OF OFFENCES.

Adultery, . . .	12	3	.	4	.	5	.	.	139 28
Affray, . . .	1	1	.	.	.	.	.	.	20 40
Arson, . . .	3	1	.	.	.	2	.	.	46 55
Assault, . . .	11	3	1	4	.	1	.	2	179 79
Assault, Aggravated, .	4	2	.	1	.	.	.	1	165 79
Assault on Officer, .	8	5	.	.	.	3	.	.	80 19
Auction Law, . . .	1	.	.	.	.	1	.	.	.
Breaking the Peace, .	2	.	.	2	.	.	.	.	22 25
Burglary, . . .	2	2	.	.	.	.	.	.	58 06
Contempt, . . .	4	4	.	.	.	.	.	.	32 60

TABLE IV.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'th on Recog'nizance.	COSTS.
Cruelty to Horse, .	1	1	.	.	.	.	.	.	\$17 00
Drunkenness, . .	10	6	.	2	.	.	.	2	175 64
Disturbing School, .	2	.	1	.	.	1	.	.	44 33
Disturbing Worship, .	1	.	1	.	.	.	.	.	34 47
Escape, . . .	1	.	.	1	.	.	.	.	2 95
Exposure of Person, .	1	.	.	1	.	.	.	.	.
False Pretences, .	1	.	.	.	.	1	.	.	.
Fornication, . .	2	2	.	.	.	.	.	.	24 66
Larceny, . . .	40	26	1	3	.	10	.	.	827 77
License Law, . .	75	38	3	20	10	1	.	3	812 62
Malicious Mischief, .	2	.	1	.	.	1	.	.	50 02
Murder, . . .	1	.	.	.	.	1	.	.	.
Nuisance, . . .	40	19	.	9	6	6	.	.	490 28
Rescue, . . .	1	1	.	.	.	.	.	.	20 08
Scire Facias, . . .	15	12	.	1	.	.	.	2	61 80
Shop-breaking and Lar- ceny, . . . .	8	4	2	2	.	.	.	.	265 28
Sunday Law, . . .	2	.	.	2	.	.	.	.	21 45
Violation of Gaming Law, . . . .	1	1	.	.	.	.	.	.	11 87
Violation of Peddling Law, . . . .	2	.	.	.	.	2	.	.	.
	254	131	10	52	16	35	.	10	\$3,605 13

TABLE V. SOUTHERN DISTRICT.—*Continued.*

## PLYMOUTH COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Recog'nizance.	COSTS.
Against the person, feloniously, . . .	.	.	.	.	.	.	.	.	.
Against the person, not feloniously, . . .	9	2	2	.	.	5	.	.	\$156 14
Against property, with violence, . . .	14	7	.	3	1	3	.	.	334 44
Against property, without violence, . . .	3	1	1	.	.	1	.	.	40 53
Other offences, . . .	33	15	4	9	1	3	.	1	516 64
Total, . . .	59	25	7	12	2	12	.	1	\$1,047 75

## TABLE OF OFFENCES.

Arson, . . . .	2	.	.	.	1	1	.	.	.
Assault, . . . .	2	.	2	.	.	.	.	.	59 07
Assault, Aggravated, .	6	1	.	.	.	5	.	.	76 55
Assault on Officer, .	1	1	.	.	.	.	.	.	20 52
License Law, . . .	26	12	4	9	.	.	.	1	458 35
Larceny, . . . .	3	1	1	.	.	1	.	.	40 53
Not keeping High Sch'l	1	1	.	.	.	.	.	.	14 13
Nuisance, . . . .	3	1	.	.	.	2	.	.	16 70
Perjury, . . . .	1	.	.	.	1	.	.	.	.
Selling Obscene Book,	1	.	.	.	.	1	.	.	.
Shop-breaking, . . .	12	7	.	3	.	2	.	.	334 44
Violation of Peddling Law, . . . .	1	1	.	.	.	.	.	.	27 46
	59	25	7	12	2	12	.	1	\$1,047 75

TABLE VI. SOUTHERN DISTRICT.—*Continued.*

## BARNSTABLE AND NANTUCKET.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros d.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Recognaunce.	COSTS.
Against the person, feloniously, . . .	.	.	.	.	.	.	.	.	.
Against the person, not feloniously, . . .	1	.	.	.	.	1	.	.	.
Against property, with violence, . . .	2	.	.	.	.	2	.	.	.
Against property, without violence, . . .	1	.	.	.	.	1	.	.	.
Other offences, . . .	12	1	.	1	9	1	.	.	\$26 21
Total, . . .	16	1	.	1	9	5	.	.	\$26 21

## TABLE OF OFFENCES.

## BARNSTABLE.

Arson, . . . .	1	.	.	.	.	1	.	.	.
Larceny, . . . .	1	.	.	.	.	1	.	.	.
Nuisance, . . . .	1	.	.	.	1	.	.	.	.
Riot, . . . .	1	.	.	.	.	1	.	.	.
Shop-breaking, . .	1	.	.	.	.	1	.	.	.

## NANTUCKET.

Assault on Officer, . .	1	.	.	.	.	1	.	.	.
Common Drunkard, . .	1	.	.	1	.	.	.	.	14 82
Malicious Mischief, . .	1	1	.	.	.	.	.	.	11 39
Rescue, . . . .	8	.	.	.	8	.	.	.	.
	16	1	.	1	9	5	.	.	\$26 21

TABLE VI. RECAPITULATION. WHOLE NO. IN THE SOUTHERN DISTRICT.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Re-cognizance.	COSTS.
Against the person, feloniously, . . .	1	.	.	.	.	1	.	.	.
Against the person, not feloniously, . . .	34	12	3	6	.	10	.	3	\$581 91
Against property, with violence, . . .	29	14	2	5	1	7	.	.	704 33
Against property, without violence, . . .	45	27	2	3	.	13	.	.	868 30
Other offences, . . .	220	104	10	51	26	21	.	8	2,524 55
Total, . . .	329	157	17	65	27	52	.	11	\$4,679 09

## MIDDLE DISTRICT.

This District comprises the Counties of Worcester and Norfolk.

TABLE VIII. MIDDLE DISTRICT.

## COUNTY OF WORCESTER.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pro'sd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Rec- ognition.	COSTS.
Against the person, feloniously, . . .	3	.	.	.	.	3	.	.	\$50 21
Against the person, not feloniously, . . .	44	23	12	1	5	3	.	.	1,178 98
Against property, with violence, . . .	9	8	.	.	.	1	.	.	219 56
Against property, without violence, . . .	29	9	5	2	3	10	.	.	878 34
Other offences, . . .	292	98	17	75	61	41	.	.	4,192 97
Total, . . .	377	138	34	78	69	58	.	.	\$6,520 06

## TABLE OF OFFENCES.

Abduction, . . .	1	.	.	.	.	1	.	.	27 69
Adultery, . . .	6	2	1	.	.	3	.	.	289 40
Arson, . . . .	2	2	.	.	.	.	.	.	17 25
Assault and Battery, .	41	22	12	1	4	2	.	.	1,122 25
Assault on Officer, .	3	1	.	.	1	1	.	.	56 70
Assault, with intent to Ravish, . . .	1	.	.	.	.	1	.	.	5 24
Burglary, . . .	1	.	.	.	.	1	.	.	28 78
Cheating, . . .	6	.	.	1	1	4	.	.	117 92
Common Drunkard, .	5	2	1	2	.	.	.	.	129 16

TABLE VIII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pro's'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recog'nizance.	COSTS.
Contempt of Court, .	18	11	4	3	.	.	.	.	\$129 59
Counterf't Money, passing, . . .	1	1	.	.	.	.	.	.	219 71
Disorderly House, .	1	1	.	.	.	.	.	.	20 55
Disturbing Peace, .	3	.	.	.	3	.	.	.	.
Disturbing Religious Meeting, . . .	1	1	.	.	.	.	.	.	18 43
Disturbing School, .	3	1	.	.	.	2	.	.	84 82
Employing Children, without Instruction,	2	.	.	2	.	.	.	.	19 24
Exhibition, Unlawful, .	1	.	.	.	.	1	.	.	29 07
Gaming, . . .	14	4	.	3	5	2	.	.	120 62
Larceny, . . .	21	8	5	1	2	5	.	.	483 27
Lascivious Cohabitat'n,	2	2	.	.	.	.	.	.	43 74
License Law, . . .	175	71	9	35	34	26	.	.	2,983 13
Lottery, . . .	1	.	.	.	.	1	.	.	9 15
Manslaughter, . . .	1	.	.	.	.	1	.	.	17 28
Malicious Mischief, .	4	.	.	.	2	2	.	.	17 32
Nuisance, . . .	26	.	2	6	15	3	.	.	193 18
Perjury, . . .	1	.	.	.	.	1	.	.	23 40
Receiv'g Stolen Goods,	1	.	.	.	.	1	.	.	57 44
Riotous Assembly, .	1	.	.	.	1	.	.	.	.
Sending Threatening Letter, . . .	1	.	.	.	1	.	.	.	.
Scire Facias, . . .	27	3	.	24	.	.	.	.	82 20
Shop-breaking, . . .	6	6	.	.	.	.	.	.	173 53
	377	138	34	78	69	58	.	.	\$6,520 06

TABLE IX. MIDDLE DISTRICT.—*Continued.*

## NORFOLK COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Rec- ognition.	COSTS.
Against the person, feloniously, . . .	1	.	.	.	.	1	.	.	\$22 95
Against the person, not feloniously, . . .	14	11	1	1	.	1	.	.	327 27
Against property, with violence, . . .	21	18	.	1	1	1	.	.	597 42
Against property, without violence, . . .	26	17	1	.	3	4	.	1	559 90
Other offences, . . .	84	36	9	12	15	12	.	.	962 32
Total, . . .	146	82	11	14	19	19	.	1	2,469 86

## TABLE OF OFFENCES.

Adultery, . . .	3	1	.	.	.	2	.	.	46 29
Assault and Battery, .	13	10	1	1	.	1	.	.	317 48
Assault on Officer, .	1	1	.	.	.	.	.	.	9 79
Assault, with intent to Ravish, . . .	1	.	.	.	.	1	.	.	22 95
Barn Burning, . . .	2	2	.	.	.	.	.	.	252 22
Cheating, . . .	2	1	.	.	.	1	.	.	30 36
Common Drunkard, .	1	1	.	.	.	.	.	.	27 31
Contempt of Court, .	2	2	.	.	.	.	.	.	9 07
Cruelty to Horse, .	1	.	.	1	.	.	.	.	23 01
Fornication, . . .	3	3	.	.	.	.	.	.	32 24
House-Breaking, . . .	2	2	.	.	.	.	.	.	76 05
Indecent Exposure, .	1	.	.	.	.	1	.	.	13 58
Larceny, . . . .	21	14	1	.	3	2	.	1	367 97
License Law, . . .	52	27	9	8	5	3	.	.	721 57

TABLE IX.—*Continued.*

OFFENCES.	Prosecutions.							costs.	
	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recognition.		
Lottery, . . .	1	.	.	.	1	.	.		\$22 00
Malicious Trespass, .	2	1	.	.	1	.	.		17 08
Nuisance, . . .	13	.	1	8	4	.	.		55 50
Receiv'g Stolen Goods,	1	1	.	.	.	.	.		144 49
School Law, Violation of, . . .	1	.	.	1	.	.	.		.
Scire Facias, . . .	5	2	.	3	.	.	.		24 95
Sending Threatening Letter, . . .	1	.	.	.	1	.	.		9 81
Shop-breaking, . . .	16	14	.	1	1	.	.		246 14
Sodomy, . . .	1	.	.	1	.	.	.		.
	146	82	11	14	19	19	.	1	\$2,469 86

TABLE X. RECAPITULATION. WHOLE NO. IN MIDDLE DISTRICT.

OFFENCES.	Prosecutions.							costs.	
	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Recognition.		
Against the person, feloniously, . . .	4	.	.	.	4	.	.		\$73 16
Against the person, not feloniously, . . .	58	34	13	2	5	4	.		1,506 22
Against property, with violence, . . .	30	26	.	1	1	2	.		816 98
Against property, without violence, . . .	55	26	6	2	6	14	.	1	1,438 24
Other offences, . . .	376	134	26	87	76	53	.	.	5,155 32
Total, . . .	523	220	45	92	88	77	.	1	\$8,989 92

## WESTERN DISTRICT.

This District comprises the Counties of Hampshire, Hampden, Franklin, and Berkshire.

TABLE XI. WESTERN DISTRICT.

## HAMPSHIRE COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pross.	Still Pending.	No Bill.	Not Arrested.	Def't on Re-cognizance.	COSTS.	
									1	1
Against the person, feloniously, . . .	1	1	.	.	.	.	.	.	21	68
Against the person, not feloniously, . . .	8	6	.	1	1	.	.	.	218	72
Against property, with violence, . . .	5	2	.	.	2	1	.	.	168	77
Against property, without violence, . . .	39	21	.	3	4	6	1	1	872	47
Other offences, . . .	45	18	.	6	11	8	.	2	747	17
Total, . . .	98	51	.	10	18	15	1	3	\$2,028	81

## TABLE OF OFFENCES.

Adultery, . . .	1	1	.	.	.	.	.	.	12	53
Arson, . . .	2	1	.	.	1	.	.	.	108	82
Assault, . . .	6	4	.	1	1	.	.	.	152	63
Assault and Battery, . .	2	2	.	.	.	.	.	.	66	09
Assault, Felonious, . .	1	1	.	.	.	.	.	.	21	68
Burglary, . . .	2	1	.	.	1	.	.	.	48	62
Carrying Spirits into Prison, . .	1	.	.	.	.	1	.	.	8	12
Common Drunkard, . .	1	1	.	.	.	.	.	.	13	50
Conspiracy, . . .	3	2	.	1	.	.	.	.	349	05

TABLE XI.—*Continued.*

OFFENCES.	Prosecutions.	Convictions	Acquittals.	Nol. Pro's'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Re-cognizance.	COSTS.
Contempt of Court, .	5	3	.	2	.	.	.	.	\$12 22
Disorderly House, .	1	1	.	.	.	.	.	.	28 14
Embezzlement, .	1	.	.	.	.	1	.	.	12 81
Escape, . . .	2	.	.	.	.	2	.	.	18 82
False Pretences, .	2	.	.	.	1	1	.	.	12 38
Forgery, . . .	2	1	.	.	.	1	.	.	51 39
Fornication, . .	1	.	.	.	.	1	.	.	13 54
Habeas Corpus, .	1	1	.	.	.	.	.	.	18 80
House-breaking, .	1	.	.	.	.	1	.	.	11 33
Larceny, . . .	20	15	.	.	.	3	1	1	377 82
License Law, . .	23	7	.	2	10	3	.	1	147 44
Nuisance, . . .	3	2	.	.	1	.	.	.	82 77
Passing Counterf't Money, . . .	3	3	.	.	.	.	.	.	3 45
Passing do. Bills, .	9	3	.	3	3	.	.	.	232 42
Perjury, . . .	1	.	.	.	.	.	.	1	28 91
Receiv'g Stolen Goods,	2	2	.	.	.	.	.	.	182 20
Riot, . . . .	1	.	.	1	.	.	.	.	11 96
Sunday Law, . . .	1	.	.	.	.	1	.	.	1 37
	98	51	.	10	18	15	1	3	\$2,028 81

TABLE XII.—WESTERN DISTRICT—*Continued.*

## HAMPDEN COUNTY.

OFFENCES.	Prosecutions.		Convictions.		Acquittals.		No. Prosl.	Still Pending.	No Bill.	Not Arrested.	Def't on Rec. ognizance.	COSTS.
Against the person, feloniously, . . .	3	1	.	.	.	.	1	1	.	.	.	\$97 62
Against the person, not feloniously, . . .	31	12	7	4	7	1	.	.	3	.	713 88	
Against property, with violence, . . .	7	3	.	.	.	.	3	1	.	.	.	195 22
Against property, without violence, . . .	35	15	2	.	8	7	.	.	3	.	801 73	
Other offences, . . .	88	16	2	6	35	8	.	.	21	.	1,382 10	
Total, . . .	167	47	11	10	54	18	.	.	27	.	\$3,490 55	
.....												

## TABLE OF OFFENCES.

Adultery, . . .	11	5	2	.	2	1	.	.	1	.	368 38
Assault, . . .	1	1	.	.	.	.	.	.	.	.	80 85
Assault and Battery, .	30	9	6	4	7	1	.	.	3	.	575 14
Assault, Felonious, .	2	1	.	.	1	.	.	.	.	.	82 01
Assault on Officer, .	2	2	.	.	.	.	.	.	.	.	21 28
Burglary, . . .	2	2	.	.	.	.	.	.	.	.	151 06
Bad Road, . . .	2	.	.	.	2	.	.	.	.	.	13 54
Capias, . . .	1	.	.	1	.	.	.	.	.	.	2 45
Common Drunkard, .	3	1	.	.	2	.	.	.	.	.	52 12
Disturbing Public Worship, . . .	5	.	.	.	2	1	.	.	2	.	203 51
Embezzlement, . . .	2	1	.	.	.	1	.	.	.	.	51 77
False Pretences, .	6	2	.	.	.	4	.	.	.	.	145 48

TABLE XII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'l't on Re-cognizance.	COSTS.
Fornication, . . .	3	3	.	.	.	.	.	.	\$56 58
Gambling House, . .	1	1	.	.	.	.	.	.	13 47
House of Ill-fame, . .	1	1	.	.	.	.	.	.	33 97
Illegal Marrying, . .	1	.	.	.	.	.	.	1	49 89
Keeping Bowling Alley,	2	.	.	.	2	.	.	.	86
Kidnapping, . . .	1	.	1	.	.	.	.	.	36 61
Lascivious Cohabitat'n,	1	1	.	.	.	.	.	.	21 74
Larceny, . . .	24	12	2	.	8	1	.	1	539 56
License Law, . . .	11	2	.	3	5	.	.	1	90 99
Libel, . . .	1	.	.	.	.	1	.	.	24 21
Malicious Mischief, . .	6	1	.	2	2	1	.	.	103 62
Murder, . . .	1	.	.	.	.	1	.	.	15 61
Nuisance, . . .	10	.	.	.	8	2	.	.	92 62
Not stated, . . .	1	.	.	.	.	1	.	.	36 31
Perjury, . . .	3	.	.	.	2	1	.	.	56 83
Passing Counterf't Bills,	2	.	.	.	.	.	.	2	43 47
Scire Facias, . . .	22	.	.	.	6	.	.	16	85 22
Selling Lottery Tickets,	1	.	.	.	.	1	.	.	21 45
Selling Obscene Picture, . . .	1	1	.	.	.	.	.	.	27 42
Shop-breaking, . . .	5	1	.	.	3	1	.	.	44 16
Sunday Law, . . .	1	.	.	.	1	.	.	.	8 07
Trespass, . . .	1	.	.	.	1	.	.	.	40 30
	167	47	11	10	54	18	.	27	\$3,190 55

TABLE XIII. WESTERN DISTRICT.—*Continued.*

## FRANKLIN COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Prod.	Still Pending.	No. Bill.	No. Arrested.	Def't on Recognizance.	COSTS.
Against the person, feloniously, . . .	.	.	.	.	.	.	.	.	.
Against the person, not feloniously, . . .	15	7	.	7	.	1	.	.	\$157 37
Against property, with violence, . . .	2	.	1	.	.	1	.	.	53 27
Against property, without violence, . . .	16	9	.	3	1	2	1	.	390 37
Other offences, . . .	57	34	.	8	7	8	.	.	469 32
Total, . . .	90	50	1	18	8	12	1	.	\$1,070 33

## TABLE OF OFFENCES.

Adultery, . . .	1	.	.	.	.	1	.	.	20 99
Arson, . . .	1	.	.	.	.	1	.	.	34 17
Assault, . . .	13	6	.	7	.	.	.	.	121 03
Assault and Battery, .	1	1	.	.	.	.	.	.	13 74
Assault on Officer, .	1	.	.	.	.	1	.	.	39 13
Bad Road, . . .	2	1	.	.	.	1	.	.	6 62
Disturbing Religious Worship, . . .	1	1	.	.	.	.	.	.	37 65
Embezzlement, . . .	1	.	.	.	.	1	.	.	34 60
False Pretences, .	1	.	.	.	.	1	.	.	22 60
Forcible Entry, .	1	.	1	.	.	.	.	.	19 10
Forgery, . . .	1	.	.	.	.	1	.	.	.

TABLE XIII.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def't on Re-cognizance.	COSTS.
Keeping Bowling Alley,	2	1	.	.	1	.	.	.	.
Lareeny, . . .	9	6	.	2	.	.	1	.	\$230 02
License Law, . . .	42	30	.	5	2	5	.	.	265 86
Malicious Mischief, .	3	2	.	1	.	.	.	.	68 50
Malicious Trespass, .	1	1	.	.	.	.	.	.	35 86
Motion for New Trial,	2	1	.	.	1	.	.	.	52 64
Nuisance, . . .	2	.	.	.	2	.	.	.	19 99
Passing Counterft Coin,	1	.	.	.	.	1	.	.	21 39
Scire Facias, . . .	1	.	.	.	1	.	.	.	.
Threatening, . . .	3	.	.	3	.	.	.	.	6 44
	90	50	1	18	8	12	1	.	\$1,070 33

TABLE XIV. WESTERN DISTRICT.—*Continued.*

## BERKSHIRE COUNTY.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Deflt. on Recog.	COSTS.
Against the person, feloniously, . . .	2	1	.	.	1	.	.	.	\$1,063 09
Against the person, not feloniously, . . .	15	3	3	6	2	1	.	.	211 84
Against property, with violence, . . .	9	8	.	.	.	1	.	.	312 76
Against property, without violence, . . .	15	7	2	.	2	3	1	.	295 40
Other offences, . . .	103	56	8	5	26	3	5	.	1,050 97
Total, . . .	144	75	13	11	31	8	6	.	\$2,934 06

## TABLE OF OFFENCES.

Adultery, . . .	5	1	2	.	1	1	.	.	117 68
Assault, . . .	11	1	2	6	2	.	.	.	153 39
Assault, Aggravated, .	3	2	1	.	.	.	.	.	58 45
Assault and Battery, .	1	.	.	.	.	1	.	.	.
Assault, Felonious, .	1	.	.	.	1	.	.	.	37 48
Burglary, . . .	3	3	.	.	.	.	.	.	104 99
Burning Barn, . . .	1	.	.	.	.	1	.	.	131 53
Capias, . . .	5	3	2	.	.	.	.	.	20 14
Disturbing Public Worship, . . .	1	1	.	.	.	.	.	.	17 76
Drunkenness, . . .	1	.	.	.	1	.	.	.	21 75
Embezzlement, . . .	1	.	.	.	.	1	.	.	5 60
False Pretences, . . .	1	.	.	.	.	1	.	.	22 49

TABLE XIV.—*Continued.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	No. Pros'd.	Still Pending.	No Bill.	Not Arrested.	Def'l't on Recog'nizance.	COSTS.
House-Breaking, .	3	3	.	.	.	.	.	.	\$27 74
Larceny, . . .	10	4	2	.	2	1	1	.	198 76
License Law, . . .	69	39	3	3	18	1	5	.	527 41
Lewd Cohabitation, .	2	1	.	.	1	.	.	.	56 47
Malicious Mischief, .	2	.	.	1	1	.	.	.	14 14
Nuisance, . . .	2	.	.	.	2	.	.	.	19 57
Passing Counterf't Money, . . .	3	3	.	.	.	.	.	.	68 55
Profaneness, . . .	1	1	.	.	.	.	.	.	21 87
Quo Warranto, . . .	1	.	.	.	1	.	.	.	41 16
Rape, . . . .	1	1	.	.	.	.	.	.	1,025 61
Riot, . . . .	2	1	.	.	.	1	.	.	117 81
Scire Facias, . . .	12	9	1	1	1	.	.	.	75 21
Shop-breaking, . . .	2	2	.	.	.	.	.	.	48 50
	144	75	13	11	31	8	6	.	\$2,934 06

TABLE XV. RECAPITULATION. WHOLE NO. IN THE WESTERN DISTRICT.

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pro'sd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Recognition.	COSTS.
Against the person feloniously, . . .	6	3	.	.	2	1	.	.	\$1,182 39
Against the person not feloniously, . . .	72	28	10	18	10	3	.	3	1,301 81
Against property with violence, . . .	23	13	1	2	4	3	.	.	730 02
Against property without violence, . . .	105	55	4	8	16	16	2	4	2,359 97
Other offences, . . .	293	124	10	25	79	27	5	23	3,649 56
Total, . . .	499	223	25	53	111	50	7	30	\$9,223 75

TABLE XVI.

*Showing the whole amount of the Criminal Business in the Commonwealth.*

OFFENCES.	Prosecutions.	Convictions.	Acquittals.	Nol. Pro'sd.	Still Pending.	No Bill.	Not Arrested.	Def'tl on Recognition.	COSTS.
Against the person, feloniously, . . .	*44	19	4	.	6	13	1	.	\$3,324 44
Against the person, not feloniously, . . .	505	261	61	46	39	66	10	19	11,023 75
Against property, with violence, . . .	264	168	20	10	26	37	3	.	6,570 74
Against property, without violence, . . .	719	400	73	31	66	106	22	18	15,683 32
Other offences, . . .	2232	1056	118	248	379	270	68	93	27,298 43
Total, . . .	3764	1907	276	338	516	492	104	130	\$63,900 68

\* One sent to Supreme Court.







